

**BLOOMINGDALE TOWNSHIP
VAN BUREN COUNTY, MICHIGAN**

**AN ORDINANCE TO ADOPT THE INTERNATIONAL
PROPERTY MAINTENANCE CODE BY REFERENCE**

ORDINANCE NO: 133
ADOPTED: 12-17-14
EFFECTIVE: 2-2-15

An ordinance adopting the 2015 edition of the *International Property Maintenance Code*, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use; and the demolition of such existing structures in the Township of Bloomingdale; providing for the issuance of permits and collection of fees therefor; repealing all other ordinances or parts of ordinances in conflict therewith except the Dangerous and Unsafe Buildings Ordinance which remains in full force and effect.

**THE TOWNSHIP OF BLOOMINGDALE, VAN BUREN COUNTY, MICHIGAN, HEREBY
ORDAINS:**

Section 1. Adoption by Reference.

That a certain document, three (3) copies of which are on file in the office of the Clerk of the Township of Bloomingdale, being marked and designated as the *International Property Maintenance Code*, 2015 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Township of Bloomingdale, in the State of Michigan, for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Bloomingdale Township Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. Revisions and Insertions.

The following sections of the International Property Maintenance Code of 2015 are hereby revised:

- Section 101.1 Title. Insert: Township of Bloomingdale
- Section 103.5 Fees. Insert: as established and adopted from time to time by the Bloomingdale Township Board.
- Section 112.4. Failure to comply. Insert: not less than \$150 or more than \$500.00
- Section 302.4 Weeds. Insert: 8"
- Section 304.14 Insect Screens. Insert: April 1 to October 1.
- Section 602.3 Heat Supply. Insert: September 1 to June 1.
- Section 602.4 Occupiable Work Spaces. Insert: September 1 to June 1.

Section 3. Repealer. All other ordinances or parts of ordinances in conflict herewith are hereby repealed except the Dangerous and Unsafe Building Ordinance which remains in full force and effect.

Section 4. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Bloomingdale Township Board hereby declares that it would have passed this ordinance, and each section subsection clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. Violation. Any person, firm, association, partnership, corporation or governmental entity who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan statute which shall be punishable by a civil fine determined in accordance with the following schedule:

	<u>Minimum Fine</u>	<u>Maximum Fine</u>
1 st offense within 3-year period*	\$ 150.00	\$500.00
2 nd offense within 3-year period*	\$ 300.00	\$500.00
3 rd offense within 3-year period*	\$ 400.00	\$500.00
4 th or more offense within 3-year period*	\$ 400.00	\$500.00

*Determined on the basis of the date of commission of the offense(s).

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which Bloomingdale Township has been put in connection with the

municipal civil infraction. Each day that a violation exists shall constitute a separate offense.

Section 6. Survival of Rights and Remedies. Nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 7. Publication. Bloomingdale Township is hereby ordered and directed to cause a true copy of this ordinance or a summary to be published once in a newspaper circulating within the Township 30 days after the passage of the ordinance.

Section 8. Effective Date. This ordinance shall take effect thirty days after publication.

A motion that the foregoing Ordinance be adopted was made by LISOWSKI and supported by SOMMERFELD at a Regular meeting of the Bloomingdale Township Board on the 17th day of DECEMBER, 2014.

After discussion, the names of the Board members and their votes are as follows:

NAME	YES	NO	ABSENT
James Lisowski	<u>✓</u>	<u> </u>	<u> </u>
Linda Stange	<u>✓</u>	<u> </u>	<u> </u>
Gerald E. Sommerfeld	<u>✓</u>	<u> </u>	<u> </u>
William Cain	<u>✓</u>	<u> </u>	<u> </u>
Bernard Miller	<u>✓</u>	<u> </u>	<u> </u>

Whereupon the Supervisor declared the Ordinance adopted.

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Bloomingdale Township Board at a meeting held on the 17th day of DECEMBER, 2014, the original of which is on file in my office and available to the public. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan 1976, including in the case of a special or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for said meeting.

Dated: 12-17, 2014

Linda Stange
Linda Stange, Clerk

PUBLICATION

I further certify that the aforesaid ordinance was recorded in the Ordinance Book for Bloomingdale Township on the 17th day of DEC, 2014, and such recording has been authenticated by the signatures of the Supervisor and Township Clerk. I further certify that the foregoing ordinance was published in full or by summary in the _____ COURIER LEADER, a newspaper circulated in the Township of Bloomingdale, Van Buren County, Michigan, on the 2nd day of JANUARY, 2015.


Linda Stange, Clerk

BLOOMINGDALE TOWNSHIP
VAN BUREN COUNTY, MICHIGAN

NOTICE OF ADOPTION OF ORDINANCE

TO THE RESIDENTS AND PROPERTY OWNERS OF BLOOMINGDALE TOWNSHIP, VAN BUREN COUNTY, MICHIGAN, AND ANY OTHER INTERESTED PERSONS:

PLEASE TAKE NOTICE that the following is a summary of Ordinance No.133 which was adopted by the Bloomingdale Township Board at a regular meeting held on December 17, 2014.

Section 1. Adoption by Reference. This section sets forth the adoption of the International Property Maintenance Code 2015 edition regulating and governing the conditions and maintenance of all property, buildings and structures in Bloomingdale Township.

Section 2. Revisions and Insertions. There were certain revisions and insertions to the International Property Maintenance Code concerning the dates of various regulatory requirements.

Section 3. Repealer. All other ordinances or parts of ordinances in conflict with this ordinance are repealed except the Dangerous and Unsafe Building Ordinance which remains in full force and effect.

Section 4. Severability. The provisions of this ordinance are severable.

Section 5. Violation. This section sets out the minimum and maximum fines that may be assessed if the Code is violated and, in addition, the violator will be required to pay costs including all expenses direct and indirect to which Bloomingdale Township has been put in connection with the enforcement of the civil infraction.

Section 6. Survival of Rights and Remedies. Any suit or proceeding pending in any court will continue under this ordinance.

Section 7. Publication. A true copy of the ordinance or a summary is required to be published once in a newspaper circulating within the Township 30 days after passage of the ordinance.

Section 8. Effective Date. The Ordinance shall take effect 30 days after publication.

PLEASE TAKE FURTHER NOTICE that the full text of the ordinance has been posted in the office of the Bloomingdale Township Clerk at the address set forth below, and a copy of the ordinance and Code may be inspected at the Office of the Bloomingdale Township Clerk during the Clerk's business hours following the date of this publication.

Bloomingdale Township
Linda Stange, Clerk
109 East Kalamazoo Street
Bloomingdale, Michigan
(269) 521-3800